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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CRAIG L. JACOBSEN, JR.,
Plaintiff(s),
v.
O. THIENHAUS, et al.,
Defendant(s).

Case No. 2:16-cv-00331-JAD-NJK
REPORT AND RECOMMENDATION

This is a prisoner civil rights case, in which Plaintiff is proceeding *pro se*. On August 18, 2016, the Court screened Plaintiff's complaint, allowing one claim to proceed, and ordered service to be completed by Plaintiff submitting USM-285 forms to the United States Marshal. Docket No. 6. Such service having not been completed, on October 31, 2016, the Court issued a notice of intent to dismiss pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. Docket No. 8. The Court did not receive any response to that notice. On June 22, 2017, the Court then ordered Plaintiff to show cause in writing, no later than July 21, 2017, why this case should not be dismissed due to lack of service. Docket No. 9. Plaintiff did not respond. Accordingly, the undersigned **RECOMMENDS** that this case be dismissed for failure to effectuate service pursuant to Rule 4(m).

DATED: July 28, 2017



NANCY J. KOPPE
United States Magistrate Judge

1 **NOTICE**

2 Pursuant to Local Rule IB 3-2 any objection to this Report and Recommendation must be in
3 writing and filed with the Clerk of the Court within (14) days after service of this Notice. The Supreme
4 Court has held that the courts of appeal may determine that an appeal has been waived due to the failure
5 to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985), *reh'g denied*, 474
6 U.S. 1111 (1986). This Circuit has also held that (1) failure to file objections within the specified time
7 and (2) failure to properly address and brief the objectionable issues waives the right to appeal the
8 District Court's order and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*,
9 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir.
10 1983).